International Seabed Authority ISBA/21/A/INF.1

Assembly

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Request for observer status in accordance with rule 82, paragraph 1 (e), of the rules of procedure of the Assembly on behalf of the World Ocean Council

Note by the secretariat

1. On 22 January 2015, the World Ocean Council submitted a letter to the Secretary-General of the International Seabed Authority, requesting observer status in the Assembly of the Authority. The text of the letter provided by the applicant and additional information about the applicant are contained in annexes I and II to the present note.

2. In accordance with rule 82, paragraph 1 (e), of the rules of procedure of the Assembly, non-governmental organizations with which the Secretary-General has entered into arrangements in accordance with article 169, paragraph 1, of the United Nations Convention on the Law of the Sea, and other non-governmental organizations invited by the Assembly that have demonstrated their interest in matters under consideration by the Assembly, may participate as observers in the Assembly.

3. Paragraphs 5 and 6 of the same rule provide that observers referred to in paragraph 1 (e) of that rule may sit at public meetings of the Assembly, and upon the invitation of the President and subject to approval by the Assembly, may make oral statements on questions within the scope of their activities, and that written statements submitted by observers referred to in paragraph 1 (e) of that rule within the scope of their activities that are relevant to the work of the Assembly should be made available by the secretariat in the quantities and languages in which the statements are submitted.

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Annex I

Letter dated 22 January 2015 from Paul Holthus, President and Chief Executive Officer of the World Ocean Council, addressed to the Secretary-General of the International Seabed Authority

The World Ocean Council (WOC) respectfully requests recognition by the Assembly as an observer to the International Seabed Authority (the Authority) under the provisions of rule 82 (1) (e) of the rules of procedure of the Authority.

WOC is a non-governmental, not-for-profit organization established as an international multi-industry business leadership alliance on ocean sustainability, science and stewardship. The WOC vision is: A healthy and productive global ocean and its sustainable use, development and stewardship by a responsible ocean business community. The WOC mission is: WOC brings together the multisectoral ocean business community to catalyse global private sector leadership and collaboration in ocean sustainability and "corporate ocean responsibility".

In addition to companies from the seabed mining sector, WOC members include a growing number of companies from a wide range of ocean industries, including oil and gas, mining, marine technology and data, shipping, classification societies, shipbuilding, offshore renewable energy, fisheries, submarine cable, maritime legal, and other companies from a range of other sectors.

Deep ocean floor minerals are an important economic resource for sustainable development. Responsible development of the seabed minerals must be undertaken in the context of multiple use of ocean space and resources. Many of the challenges and potential impacts facing the seabed mining industry are cross-sectoral and cumulative. These can be most effectively and addressed through multi-industry leadership and collaboration, and broad ocean industry collaboration with key intergovernmental organizations and other stakeholders.

WOC has a history of successful collaboration with: (a) international organizations/agencies, such as the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the United Nations Secretariat, the United Nations Environment Programme, the Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization, the Convention on Biological Diversity, the World Bank, among others; (b) many business and industry groups, for example, the International Council on Mining and Metals, the International Oil and Gas Producers Association, the International Chamber of Shipping, the International Chamber of Commerce, among others; and (c) many scientific and non-governmental organizations, for example, the International Council on Exploration of the Seas, the International Union for Conservation of Nature, and others.

WOC is catalysing global ocean industry leadership and collaboration in addressing cross-cutting issues in support of improved business, continued access and reduced risk. We believe that the Authority, sponsoring States, the seabed mining industry, and other ocean industries will all benefit from the involvement of WOC as an official non-governmental observer with the International Seabed Authority. Accordingly, we respectfully request your support of the present application for recognition.

(*Signed*) Paul **Holthus**
President and Chief Executive Officer
World Ocean Council

Annex II

International Seabed Authority observer status request

Name of organization

World Ocean Council (WOC)

Address of office

World Ocean Council
3035 Hibiscus Drive, Suite 1
Honolulu, Hawaii 96815
United States of America

Name and address of proposed primary representatives

Paul Holthus
President and Chief Executive Officer
World Ocean Council
E-mail: paul.holthus@oceancouncil.org

Aims and purpose of the World Ocean Council

Vision

A healthy and productive global ocean and its sustainable use, development and stewardship by a responsible ocean business community.

Mission

WOC brings together the multisectoral ocean business community to catalyse global private sector leadership and collaboration in ocean sustainability and "corporate ocean responsibility".

Objectives

(a) A vibrant international, cross-sectoral ocean business community providing private sector leadership on ocean sustainability, stewardship and science in support of responsible use of ocean areas and resources;

(b) An ocean business community well informed on ocean policy and decision-making processes and constructively engaged with ocean stakeholders;

(c) Cross-sectoral industry collaboration and leadership in developing practical, cost-effective, science-based solutions to marine environment and sustainability challenges;

(d) Continuous improvement of environmental performance by ocean industries through the most appropriate means, for example, best practices, performance standards, collaborative research;

(e) Cross-sectoral ocean industry leadership alliances in priority regional, national or local areas on priority needs and opportunities for constructive business involvement, for example, marine spatial planning;

(f) Improved mutual understanding among ocean industry sectors, increased cross-sectoral dialogue, and reduced ocean use conflicts;

(g) Collective industry support for, and participation in, improved ocean science in support of sustainability and responsible business operations;

(h) Outreach and communication to the media, public and ocean stakeholders on industry efforts and progress in addressing marine environment and sustainability issues.

History

1. The value and need for an organization to bring together responsible ocean industry operators emerged during the 2000's as it has become increasingly clear that aligning business interests with sustainability goals was an essential part of achieving a lasting and comprehensive approach to ocean health and responsible economic activity. Many responsible companies were interested in developing inter-industry leadership and collaboration as a way to better address shared ocean challenges, but there was no structure and process for this interaction. The need and opportunity for an industry alliance on ocean sustainability, science and stewardship became clear and compelling.

2. From 2000, a group of ocean-related companies concerned with the health of the marine environment advanced the building of a network by participating in private sector panels at multi-stakeholder oceans conferences held at the United Nations Educational, Scientific and Cultural Organization (UNESCO). The industry panellists were motivated by the opportunity to meet colleagues from other sectors also concerned about ocean stewardship, and sought to expand the means for marine industry interaction. Building on this, international Business and Industry Leaders Roundtables on Ocean Sustainability were twice convened (Lisbon, 2005; Paris, 2006), at which the business community participants further encouraged creation of an ongoing means for cross-sectoral industry interaction on ocean issues.

3. With this interest and momentum from the emerging ocean business community, a larger multi-industry workshop was held in New York in mid-2008, at United Nations Headquarters. The workshop participants agreed to move forward with the establishment of WOC as an international, cross-sectoral ocean business leadership alliance on "corporate ocean responsibility". The Council was formally established in early 2009 by a group of leadership companies from a diverse range of ocean industries.

4. As part of its early development, WOC created the Sustainable Ocean Summit as an unprecedented gathering of the diverse international ocean business community around sustainability challenges. The Summit has been held in Belfast (2010), Washington, D.C. (2013) and will next be held in Singapore (late 2015). WOC, the Sustainable Ocean Summit and other WOC events focus on analysing the issues and developing and advancing the WOC work programme to actually undertake action and implementation in addressing industry challenges regarding sustainable development and responsible use.

5. WOC has established cross-sectoral working groups to tackle cross-cutting industry priorities, for example, ocean governance/policy, marine spatial planning, marine sound, the Arctic, marine invasive species, marine debris, marine mammal impacts, port reception facilities, the adaptation of ports and coastal infrastructure to

sea level rise/extreme weather events and ocean industry data collection. New working group areas under consideration include the topic of the effects of sedimentation and turbidity from deep sea disposal of mining tailings and seabed mining on marine ecosystems.

6. The WOC membership includes a growing number and wide range of more than 70 ocean leadership companies and affiliated organizations. The creation by the Council of an international "ocean business community" goes beyond WOC members and includes a growing network of over 34,000 ocean industry stakeholders.

Work programme areas and recent activities

7. WOC has become the recognized global portal and platform for the ocean business community to engage with the United Nations, Governments and other ocean stakeholders.

8. In this connection, WOC:

(a) Was invited by the Office of the United Nations Secretary-General to be one of five representatives to attend a part of his Expert Group on the Ocean for the United Nations Conference on Sustainable Development;

(b) Convened the only gathering of ocean industries to provide ocean business community input to the United Nations Conference on Sustainable Development (June 2012);

(c) Was the only ocean industry representative invited to participate in the Sustainability Conference of the Asia Pacific Economic Cooperation Summit;

(d) Developed the first-ever "business dialogue" between the ocean business community and the Arctic Council Sustainable Development Working Group;

(e) Was the only ocean industry entity providing input on the Sustainable Development Goals to the session of the United Nations Open Working Group on Sustainable Development Goals on topics related to oceans;

(f) Organized the first-ever international, cross-sectorial Business Forum on Ocean Policy and Planning.

9. The WOC work programme has developed rapidly in the areas described below.

Ocean policy and governance

10. WOC is ensuring constructive industry participation in priority ocean sustainability policy developments by participating in key policy processes. It is working to ensure that its members and the broader ocean business community are informed of major policy developments that will affect the future of business in the ocean, as a result of active monitoring, reporting and analysis by WOC.

11. For high priority processes, WOC is monitoring, analysing and reporting for Council members on major ocean policy and decision-making processes and developments and is ensuring that balanced information is put forward and that the business community is informed and constructively engaged, as needed. This includes collating and disseminating information and representing the views, efforts and information of responsible ocean industries. To date, ocean policy priorities include the United Nations negotiations on Biodiversity in Areas Beyond National

Jurisdiction, the Convention on Biological Diversity, and the United Nations Informal Consultative Process on Oceans and Law of the Sea. To this we are now adding the International Seabed Authority.

12. WOC is providing a growing level of information and presence for its members in key policy processes. For example, the Council was the only industry participant at the full, formal United Nations meeting on possibly amending the Law of the Sea to address Biodiversity in Areas Beyond National Jurisdiction in 2013 and 2014. WOC is working to address this absence of the ocean business community and ensure that there is a more balanced and well-informed discussion for these developments that will have significant ramifications for extractive resources from the ocean seabed.

13. In another example, in relation to the Convention on Biological Diversity, in 2010, WOC produced a review of major ocean governance and policy processes, and a detailed analysis of the Convention. WOC participated in the tenth, eleventh and twelfth meetings of the Conference of the Parties and the preparatory meetings. WOC has been the only entity representing the ocean business community at these extensive discussions on major marine policy issues at the Conference of the Parties to the Convention on Biological Diversity. The involvement of WOC has been welcomed by Governments, the Convention on Biodiversity secretariat and other ocean stakeholders as a needed and valuable involvement of the ocean business community.

14. WOC is taking information on international ocean policy and governance developments to the ocean business community through key WOC events. The WOC Sustainable Ocean Summit 2013 included a major session on ocean policy. A WOC working group on ocean policy is under development. In early 2014, the Council provided the only ocean industry involvement in the United Nations negotiations on the Sustainable Development Goals. WOC is also bringing key United Nations and intergovernmental agencies into direct contact with the ocean business community through these events. For example, the Division for Ocean Affairs and the Law of the Sea, the Convention on Biological Diversity secretariat, the United Nations Environment Programme (UNEP), UNESCO IOC, the Arctic Council and other United Nations agencies and intergovernmental bodies have participated as speakers at WOC events.

Marine spatial planning/ocean planning

15. Marine spatial planning is developing rapidly in many areas, especially in the European Union, the United States and Australia, and is now being proposed for international ocean areas. Engaging in effective decision-making in marine spatial planning is a key need for the ocean business community. WOC developed a marine spatial planning working group and will ensure that the planning process includes both the systematic and comprehensive involvement of a diverse range of ocean industries, as well as the use of credible science and risk assessment. Proactive, constructive and coordinated participation in marine spatial planning by an informed ocean business community is critical to achieving its business value.

16. In Europe, WOC has been tracking the marine spatial planning process at the European Union maritime policy level and engaging with the relevant components of the European Commission, especially with the Directorate-General for Maritime Affairs and Fisheries The marine spatial planning focus is now moving to the

regional/sea basin level, for example, the Baltic and the North Sea. This is creating the need and opportunity for the ocean business community to get organized on a regional scale. In regions where there is sufficient need and interest from stakeholders, WOC will organize regional ocean business marine spatial planning workshops. A regional ocean business council may emerge from this process as an ongoing means for the private sector to provide systemic, ongoing interaction with each other on marine planning and the means to engage collectively in the overall marine spatial planning process.

17. In the United States, the need for the ocean industries to better understand and engage in marine spatial planning has become urgent due to United States national policy and the National Ocean Council. Among other things, this has called for the development and implementation of marine spatial planning through a series of nine regional (subnational) planning programs. The Government convened a major inter-agency conference in mid-2011 to advance its marine spatial planning goals. WOC convened the first National Ocean Business Forum on marine spatial planning in July 2011 to ensure that ocean industries better understand marine spatial planning, are fully informed of the Government's plans and to develop constructive and coordinated participation by an informed ocean business community as it advances. As the United States marine spatial planning process rolls out at a regional level, WOC is reaching out to the range of ocean sectors active in each region to facilitate understanding and involvement in the newly mandated ocean planning process. This may require regional workshops and may result in the development of (subnational) regional ocean business councils.

Operational/technical ocean industry environmental issues

18. There are a range of operational and technical marine environmental issues that are challenging many ocean industries, creating opportunities for synergies and from economies of scale. WOC is fostering collaboration among members to develop cross-sectoral collaboration in developing science and research programmes to facilitate developing cost-effective solutions to these shared challenges. Priority issues include: marine sound, biofouling/marine invasive species, ship strikes on marine mammals, port reception facilities. As mentioned, new working group areas under consideration include the topic of the effects of sedimentation and turbidity from deep-sea disposal of mining tailings and seabed mining on marine ecosystems.

19. WOC is working with its members to develop working groups that can develop best practices in addressing these operational and technical marine environmental issues. The efforts of the working groups may include developing a common international agenda and priorities for science and applied research that includes input from government and academic researchers. The Council is developing the international agenda, and priorities for science and applied research on priority issues are developed. WOC is moving ocean industries towards creating collaborative, efficient research and development of solutions is undertaken to address priority shared marine environmental problems through partnerships, consortia, "joint industry projects" or "public-private partnerships". Through this, WOC is creating the context for practical, cost-effective solutions to address priority shared marine environmental problems are developed based on good science.

Regional ocean business leadership

20. WOC is fostering the development of regional ocean business councils to engage coordinated member input to regional policy processes, science efforts, and the development of solutions to operational and technical issues at the regional level. The Council is working with members to explore development of regional cross-sectoral efforts in high priority geographic areas, for example, the Arctic, the Mediterranean, the Caribbean, and West Africa.

21. In some of these areas, notably the Arctic, there are important government, inter-governmental and non-governmental organization efforts under way to address marine environmental concerns. Ocean industries are not engaged in a systematic, comprehensive, coordinated, cross-sectoral way in many of the processes related to the Arctic. WOC moved forward with the organizing the workshop on developing the Arctic Business Leadership Council and the first-ever "business dialogue" with the Arctic Council's Sustainable Development Working Group — both held in Reykjavik, on 16 and 17 September 2012. WOC subsequently had a very good, well-attended Arctic session at the Sustainable Ocean Summit in April 2013 to continue developing the WOC-coordinated Arctic Business Leadership Council and the WOC Arctic working group.

22. WOC is catalysing regional WOC Member working groups and broader regional business councils to address ocean sustainability, stewardship and responsible business. Through this, the Council is ensuring industry input to, and participation in, specific regional processes ensure balanced and ocean management. For some of the regions, specific developments have created momentum and opportunities. For example, in the Mediterranean there is interest in improving port reception facilities and the need for a cross-sectoral business leadership group to coordinate this. In West Africa, the UNEP Regional Seas Programme and the Benguela Current Commission have approached WOC about developing a regional ocean business group to engage with the Governments and other ocean stakeholders in their region. In Australia, the ocean science community is interested in engaging ocean industries to improve and expand ocean observations and modelling that will benefit business and science.

Smart Ocean/Smart Industries: data collection and sharing by industry

23. WOC members have identified the need and opportunity for the Council to develop and coordinate a programme or "platform" to expand, improve and better coordinate the role of industry in collecting and sharing ocean and atmospheric data. The "Smart Ocean/Smart Industries" programme will learn from and build on existing ships of opportunity efforts and create a programme to engage a range of industries in ocean observations at a whole new scale, that is,. fleets of vessels and offshore platforms participating in long term, integrated data collection. Industry efforts in this area are welcomed and encouraged by ocean stakeholders.

24. WOC has had discussions with a number of companies (primarily oil/gas, shipping, marine technology, insurance) and national ocean observation programmes (e.g. in the United States, the European Union and Australia), all of whom support and encourage this initiative. The Council met several times with the head of UNESCO IOC, which is collaborating with it to engage the private sector in this area of mutual interest. IOC programmes provide an opportunity for international

collaboration and developing globally agreed data on issues important to ocean industries and linkages with national government ocean science programmes.

25. The World Meteorological Organization (WMO) coordinates the marine atmospheric observation systems. IOC and WMO collaborate in the Joint Committee on Marine Meteorology, which has a programme to develop and coordinate the "ships of opportunities". WOC participates in the biannual meeting of the Joint Committee Ship Observations Team to ensure active coordination with IOC and WMO and to build the relationships with the key national and international agencies and individuals in the ocean observations community. UNESCO IOC hosted an initial WOC "Smart Ocean/Smart Industries" programme workshop (Paris, 12-13 December 2011) to begin designing the structure and process and to develop the road map for moving forward.

26. The WOC Sustainable Ocean Summit 2013 included a major session on "Smart Ocean/Smart Industries". The Council organized a workshop on "Smart Fishing Vessels" in late 2013 at the World Seafood Congress (St. Johns, Canada, 28 September-4 October, 2013). In 2014, WOC organized the first-ever industry workshop on Arctic data collection, as part of the Arctic Shipping Forum (Helsinki, 8-10 April).

27. Through the "Smart Ocean/Smart Industries" programme and working group, WOC is increasing industry understanding of and participation in data collection to improve ocean and atmospheric knowledge. The Council is working to bring industry data into government and scientific ocean databases. The programme is working to create a significant improvement in the understanding of the oceans, which leads to a more predictable ocean operating environment for safe and responsible ocean use.

Descriptive statement of the extent to which the purposes of the World Ocean Council relate to those of the International Seabed Authority, including, in particular, the contributions that can be made to the progress of the Authority

28. The WOC focus on international, multi-industry leadership and collaboration in addressing ocean sustainability, science and stewardship are strongly aligned with the Authority's mandate to ensure careful, responsible use of the seabed minerals. WOC programme areas on ocean governance, marine/ocean planning, technical and operational environmental management issues, and the role of industry in collecting and sharing data all contribute to the mission and efforts of the Authority to advance the understanding, planning and management of marine areas used for industry activities.

29. WOC interaction with the Authority is primarily in relation to the environmental assessment and environmental management, especially with regard to the current development of the regulatory framework for exploitation and developing rules, regulations and procedures on the prevention of damage to the marine environment from activities in the Area. The Council has already undertaken efforts to contribute to the progress of the Authority; in April 2014, it distributed a news release seeking ocean industry input to the International Seabed Authority Stakeholder Survey. The announcement was sent to the WOC network mailing list of 34,000 ocean industry stakeholders, informing them of the survey and encouraging relevant, interested ocean industry representatives to submit comments.

30. Building on this commitment and efforts, WOC can engage the diverse ocean business community to work with the Authority and help States to understand the ocean floor ecosystems and develop the good governance and best practice for the deep sea mining industry that is needed.

31. WOC is uniquely positioned to help ensure input from a range of ocean industries (e.g. oil and gas, fisheries, submarine cable) that have information, data, experience and best practices related to areas of critical interest to the Authority, including:

(a) Restoration or rehabilitation of the marine environment;

(b) Marine environmental assessments and environmental management plans;

(c) Response strategies to conserve and restore biological diversity and ecosystem functioning;

(d) Understanding ecosystem functions and biological diversity that should be conserved at regional levels, and local scales;

(e) Measures and procedures for emergency response;

(f) Defining "serious harm" and "vulnerable marine ecosystems" in connection with the protection of the marine environment;

(g) Promoting and encouraging the use of best practice, including technology advances in scientific research, to protect the environment during operations;

(h) Monitoring of operations, compliance, environmental conditions and marine ecosystems;

(i) Defining best environmental practices and adaptive management and developing procedures for them;

(j) Developing risk management approaches that could be adapted to deep seabed mineral exploitation.

Structure

32. Ocean industry companies that are committed to leadership in "corporate ocean responsibility" are invited to distinguish themselves by becoming WOC members. WOC member candidates must state their support to the Council's vision and mission and their intention to become actively involved in the WOC work programme. The WOC membership is also open to relevant industry associations and to affiliated organizations, that is, research, academic, scientific institutions that are working closely with ocean industries.

33. WOC is governed by a Board of Directors that is representative of the diverse ocean business community. The Board is selected from among the WOC members and is designed to include:

(a) A diverse mix of industries;

(b) Diverse geographic representation;

(c) WOC corporate member representatives (i.e., not associations or affiliate members);

(d) WOC members that are the most active in the organization;

(e) WOC corporate members who have been members for at least one full calendar year; WOC Board member terms are three years and Board members can apply for two consecutive terms.

34. The WOC Board Executive Committee consists of the Board Officers, namely, the Chair, Treasurer and Secretary. The Board Officers are elected by the overall Board for two-year terms. The WOC Board operates based on consensus decision-making.

35. The WOC work programme is developed and updated by the Programme Committee and submitted to the Board for review and approval. The Programme Committee establishes, as needed and appropriate, working groups to undertake the development and implementation of specific components of the work programme. The working groups operate under agreed terms of reference and report regularly to the Programme Committee, which, in turn reports regularly to the Board on the overall delivery against the agreed WOC work programme.

World Ocean Council member companies and organizations

36. As at December 2014, WOC members were:

3W Marine Pty Ltd	Liquid Robotics
A.P. Moller-Maersk A/S	Lloyd Register
Almi Tankers S.A.	Louisbourg Seafoods
Arcadis	M3 Marine (Offshore Brokers) Pte Ltd
Arctia Shipping	MF Shipping Group
Arctic Fibre	Marine Acoustics, Inc.
ASL Environmental Sciences	Memorial University Marine Institute
Baird Publications	Mitisubishi heavy Industries
Battelle Memorial Institute	Nautilus Minerals, Inc.
BigBlueStuff	Noise Control Engineering
Birds Eye — Iglo	N America Marine Environment Protection Association
Blank Rome	Ocean Networks Canada
BP	Ocean Nourishment
Cape Breton University	Ordendorff Carriers GmbH & Co. KG
Cape Cod Commercial Fishermen's Alliance	OLRAC SPS
Caris USA Inc.	PanGeo Subsea
Center for Blue Economy, Monterey Institute for International Studies	Planet OS (formerly Marinexplore)
China Navigation Company/Swire Pacific Offshore	Resolute Marine Energy
Circumpolar Solutions	RightShip

ClassNK	Rio Tinto
Coastal India Development Council	Royal Greenland A/S
CSA Ocean Sciences Inc.	Sanford Limited
Det Norske Veritas (DNV-GL)	Scottish Marine Institute (SAMS)
ESRI	Shell
ExxonMobil	Shipping Forum Ltd
FOB	Southall Environmental Associates (SEA)
Global Trust Certification	SubCtech
Guangxi Penshibao Co., Ltd	Tai Chong Cheang (TCC) Steamship Co. HK
Heidmar, Inc.	Technip
Heerema Marine Contractors Nederland SE	TierraMar Consulting
Holman Fenwick Willan LLP	TOTAL
IHC Mining	Total Marine Solutions
International Chamber of Shipping (ICS)	Twin Dolphins
International Tanker Owners Pollution Federation (ITOPF)	University of Texas Marine Science In
JASCO Applied Sciences	Winward Ltd.
Keppel Offshore and Marine	Zodiac Marine
L-3 Mari Pro Inc.	

Current members of the World Ocean Council Board of Directors

37. As at December 2014, the members of the WOC Board were:

Board member	*Affiliation*
Gary Isaksen (Chair)	ExxonMobil
Rainer Sternfeld (Treasurer)	PlanetOS
Jonathan Webb (Secretary)	Holman Fenwick Willan
Peter Glazebrook	Rio Tinto
Neil Baird	Baird Publication
Vinay Patwardhan	Tai Chong Cheang (TCC) Steamship Co.
Hans Christian Krarup	Golder Associates
Lori Kennedy	Louisbourg Seafoods
Mikael Thinghuus	Royal Greenland A/S
Paul Holthus	WOC President/CEO